

REMARKS

Claims 1-6, 10, 12, 16-19, 34, 51, 52, 66-94 and 101-123 were pending in the present application. Claims 66-93 were withdrawn from consideration. Claims 1-6, 10, 12, 16-19, 34, 51, 52, 66-94 and 101-122 are pending. Claims 66-93 were withdrawn. Claim 94 was not withdrawn by Applicant, but is listed as withdrawn on the Office Action Summary mailed on May 18, 2006. Claims 1-6, 10, 12, 16-19, 34, 51, 52, 101, 103-110, and 112-123 were rejected. Claims 102 and 111 were objected to.

By virtue of this response, claims 1-101 and 115-123 have been canceled without prejudice, and claims 102-114 have been amended. Accordingly, claims 102-114 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Claims Rejections – 35 USC§ 112

Claims 51, 105, 108 and 113 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 51 has been canceled, so the rejection of claim 51 is moot.

Claim 105 has been amended to recite a reflective layer disposed between the substrate and the first heat absorbing layer, thereby providing antecedent basis for “the reflective layer.”

Claim 108 has been amended to change “magneto-optic recording layer” to “optical recording layer”, which refers to the optical recording layer introduced in claim 102.

Claim 113 has been amended to recite a reflective layer disposed between the substrate and the first heat absorbing layer, thereby providing antecedent basis for “the reflective layer.”

Claims Rejections – 35 USC § 102

Claims 1-5, 12, 34 and 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Ono et al. (U.S. Pat 6,869,655).

Claims 1-5, 12, 34, and 51 have been canceled, so the rejections are moot.

Claim Rejection – 35 USC § 103

Claims 101, 105-107, 110, 112-114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhou et al. (U.S. Pat. 5,876,822) in view of Hirata et al. (U.S. Pat. 5,725,943).

Claim 101 has been canceled, so the rejection of claim 101 is moot.

Claims 105-107 and 110 have been amended to depend from amended claim 102, and are believed to be allowable for reasons similar to those given below for amended claim 102 in the Allowable Subject Matter section.

Claims 112 and 114 have been amended to depend from amended claim 111, and are believed to be allowable for reasons similar to those given below for amended claim 111 in the Allowable Subject Matter section.

Claims 6, 16-19, 115, 117-118 and 122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al. in view of Hirata et al.

Claims 6 and 6-19, 115, 117-118, and 122 have been canceled, so the rejections are moot.

Claims 10, 115-116, 119-122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Utsonomiya et al. (U.S. Pat. 5,552,237) in view of Hirata et al.

Claims 10, 115-116, and 119-122 have been canceled, so the rejections are moot.

Claims 52 and 123 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono in view of Hirata and further in view of Zhou et al. (U.S. Pat. 6,040,066).

Claims 52 and 123 have been canceled, so the rejections are moot.

Allowable Subject Matter

Claims 102, 111 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 102, 111 have been rewritten in independent form including all of the limitations of the base claims as suggested by the Examiner. Applicant respectfully submits that claims 102, 111 are allowable in light of the Examiner's remarks.

Claims 103-110 have been amended to depend from amended claim 102. Applicant respectfully submits that claims 103-110 are allowable for reasons similar to those stated above for claim 102.

Claims 112-114 have been amended to depend from amended claim 111. Applicant respectfully submits that claims 112-114 are allowable for reasons similar to those stated above for claim 111.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 249212013900. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 17, 2006

Respectfully submitted,

By  _____
Ernest Ellenberger

Registration No.: 56,529
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
(650) 813-5786

AMENDMENTS TO THE DRAWINGS

The attached drawing sheets include changes to Figures 1-5.

This first replacement sheet, which includes Figures 1 and 2, replaces the original sheet that includes original Figure 1.

The second replacement sheet, which includes Figure 3, replaces the original sheet that includes original Figure 3.

The third replacement sheet, which includes Figure 4, replaces the original sheet that includes original Figures 2 and 4.

The fourth replacement sheet, which includes Figure 5, replaces the original sheet that includes original Figure 5.

Attachment: Replacement Sheets